

4757. By Mr. DARROW: Petition of the Frankfort Grocers' Association of Frankfort, Philadelphia, Pa., in behalf of 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

4758. By Mr. FULLER of Illinois: Petition of the Business and Professional Women's Club, of Rockford, Ill., favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

4759. Also, petition of the East St. Louis (Ill.) Lumber Co., favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

4760. By Mr. LINTHICUM: Petition of the J. H. Duker Box Co., of Baltimore, Md., favoring passage of Nolan Patent Office bill; to the Committee on Patents.

4761. Also, petition of F. H. Timken, of Baltimore, Md., opposing recognition of the soviet régime; to the Committee on Foreign Affairs.

4762. Also, petition of Charles C. Homer, jr., of Baltimore, and the National League of Women Voters, re Smith-Towner bill; to the Committee on Education.

4763. Also, petitions of McDowell, Pyle & Co., of Baltimore, re excise tax on candy; the Merchants & Manufacturers' Association of Baltimore, re amending income tax law; Russell W. Marshall, of Baltimore, re soldier bonus; J. Engel & Co., of Baltimore, re jewelry tax; and Coggins & Owens, of Baltimore, re proposed tax policy; to the Committee on Ways and Means.

4764. Also, petition of S. Halle Sons, of Baltimore, re 1-cent drop-letter rate, and the State roads commission, re roads; to the Committee on the Post Office and Post Roads.

4765. Also, petition of the Baltimore Pulverizing Co., Nicholas G. Penniman, Griffith & Boyd Co., Eureka Chemical Co., Standard Guano Co., and Baugh & Sons Co., all of Baltimore, Md., re Senate bill 3390; to the Committee on Military Affairs.

4766. Also, petition of the Maryland State Dairymen's Association, William Schluderberg-T. J. Kurlle Co., Ammidon & Co., and Frey & Son., all of Baltimore, Md., re Kenyon-Anderson bill; to the Committee on Interstate and Foreign Commerce.

4767. By Mr. O'CONNELL: Petition of the Utica Candy Co., protesting against excise tax on candy; to the Committee on Ways and Means.

4768. By Mr. SNYDER: Petition of the W. A. Munger Candy Co., of Utica, N. Y., protesting against an increased tax on candy; to the Committee on Ways and Means.

SENATE.

THURSDAY, December 30, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts to Thee, the author of our liberties. Thou hast taught us in Thy Word that if we know the truth we shall be free. We seek the guidance and blessing of God as we face the ever-increasing responsibilities of life. As we come to the new year by the grace of our Lord we pray that Thou wilt endue us with such measure of that grace as that we may perform faithfully and well the duties that are upon us; that we may see our country in its rightful relationship to all nations; that we may see our people prosperous and happy; and that we may above all see the coming of the kingdom of Thy truth and righteousness among us and among all men. We ask it for Jesus' sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Monday last was read and approved.

MOUNT WEATHER.

The VICE PRESIDENT laid before the Senate a communication from the commission composed of the Secretary of the Treasury, Secretary of War, Secretary of the Navy, and Secretary of Agriculture, transmitting, pursuant to law, a report of investigation into the suitability of the premises known as Mount Weather as a home for disabled soldiers, sailors, and marines, which was referred to the Committee on Military Affairs.

ADJUDICATION OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report showing the number of claims filed under the act for the relief of contractors, etc., and the present status of the work involved in connection with their adjudication, which was referred to the Committee on Appropriations.

DISTRICT WATER SUPPLY.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a preliminary statement on project and plans to secure an increased water supply for the District of Columbia by development of the Potomac River, which was referred to the Committee on the District of Columbia.

UTAH RESERVATION LANDS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report on the leasing of irrigable Indian land on the Utah Reservation, Utah, etc., which was referred to the Committee on Indian Affairs.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Civil Service Commission, transmitting, pursuant to law, schedules and files of useless papers devoid of historic interest accumulated in the files of the commission, and asking for action looking to their disposition, which was referred to a Select Committee on Disposition of Useless Papers in the Executive Departments, to be selected by the Chair. The Vice President appointed Mr. WALSH of Montana and Mr. FRANCE members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

CREDENTIALS.

The VICE PRESIDENT laid before the Senate a certificate of the governor of Arizona certifying to the election of RALPH H. CAMERON as a United States Senator for the term beginning March 4, 1921, which was read and ordered to be filed, as follows:

EXECUTIVE OFFICE, STATE HOUSE,
Phoenix, Ariz., December 16, 1920.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1920, RALPH H. CAMERON was duly chosen by the qualified electors of the State of Arizona a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

Witness: His excellency our governor, Thomas E. Campbell, and our seal hereto affixed at Phoenix, Ariz., this 16th day of December, in the year of our Lord 1920.

[SEAL.]

By the governor:

THOMAS E. CAMPBELL, Governor.

MIT SIMMS, Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which the concurrence of the Senate was requested:

H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.;

H. R. 567. An act for the relief of John Chick;

H. R. 740. An act for the relief of John W. Baggott;

H. R. 742. An act for the relief of J. W. La Bare;

H. R. 908. An act for the relief of Leo Balsam;

H. R. 1030. An act for the relief of John R. Smith, deceased;

H. R. 1034. An act for the relief of Jose Ramon Cordova;

H. R. 1035. An act for the relief of the widow of Joseph C. Akin;

H. R. 1299. An act for the relief of George LeClear;

H. R. 1300. An act for the relief of Alfred E. Lewis;

H. R. 1321. An act for the relief of Mrs. Annie M. Lepley;

H. R. 1949. An act for the relief of George F. Reid;

H. R. 3522. An act for the relief of Lemuel Stokes;

H. R. 5194. An act for the relief of Alfred Rebsamen;

H. R. 6301. An act for the relief of Nathan Manzer;

H. R. 7333. An act for the relief of Emily J. Mullins;

H. R. 8142. An act for the relief of Anna Blumenthal;

H. R. 9675. An act for the relief of John Anderson;

H. R. 9857. An act for the relief of S. S. Markley;

H. R. 9843. An act to carry into effect the findings of the Court of Claims in favor of Myron C. Bond, Guy M. Claffin, and Edwin A. Wells;

H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.;

H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;

H. R. 11154. An act for the relief of Arthur Frost;

H. R. 11377. An act for the relief of Warren V. Howard;

H. R. 11416. An act for the relief of Orville M. Myers;

H. R. 11945. An act for the relief of W. C. Stewart;

H. R. 11572. An act for the relief of the John E. Moore Co.;

H. R. 12333. An act for the relief of Albert T. Huso;

H. R. 12337. An act to provide for the relief of Anthony Sulik, former sergeant United States Marine Corps;

H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad;

H. R. 12005. An act for the relief of Henry P. Corbin;

H. R. 12469. An act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy;

H. R. 13319. An act for the relief of Wilson Certain; and

H. R. 13600. An act for the relief of Mrs. William B. Ryan.

The message also announced that the House had passed the following bills:

S. 1546. An act for the relief of Katie Norvall;

S. 2278. An act for the relief of John Healy;

S. 3218. An act for the relief of Martina Sena, Luis E. Armijo, and Maria Baca de Romero;

S. 1447. An act to correct the naval record of Fred C. Konrad;

S. 1743. An act for the relief of Matthew McDonald; and

S. 429. An act to authorize an exchange of land with Henry Blackburn.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which the concurrence of the Senate was requested:

S. 390. An act for the relief of Peter McKay; and

S. 2371. An act for the relief of Kathryn Walker.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1. An act authorizing the cutting of timber by corporations organized in one State and conducting operations in another;

S. 46. An act for the protection of the water supply of the town of Sunnyside, Utah;

S. 2188. An act to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., p. 1133);

S. 2064. An act providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Assiniboine Military Reservation, in Montana; and

S. 2977. An act to amend section 8 of an act to provide for the sale of desert lands in certain States and Territories approved March 3, 1877, as amended by an act to repeal timber culture laws, and for other purposes, approved March 3, 1891.

PETITIONS AND MEMORIALS.

Mr. KENDRICK. I wish to announce the unavoidable absence of my colleague [Mr. WARREN], and I present in his behalf the following petitions:

A petition of Mr. B. Y. Booker, secretary of the Alfalfa Commercial Club, of Washakie County, Worland, Wyo., praying for the enactment of legislation protecting farmers, stockmen, and other agriculturists;

A petition of the Western Range Stockmen's Convention, Salt Lake City, Utah, praying for enactment of legislation placing a tariff on meats, hides, wool, etc.;

A petition of the Carbon County Wool Growers' Association, of Rawlins, Wyo., praying for the enactment of legislation placing a tariff and embargo on live stock, wool, etc.; and

A petition of Mr. Oscar Peterson, of Cokeville, Wyo., praying for the enactment of legislation for the protection of agricultural products.

I move that the petitions be referred to the Committee on Finance.

The motion was agreed to.

Mr. SMITH of Maryland presented a petition of Liberty Council, No. 6, Sons and Daughters of Liberty, of Baltimore, Md., praying for the enactment of legislation restricting immigration, which was referred to the Committee on Immigration.

He also presented a petition of students of Goucher College, of Baltimore, Md., praying for the enactment of legislation for the protection of maternity and infancy, which was ordered to lie on the table.

Mr. JONES of Washington presented petitions of Private Soldiers' and Sailors' Legion of the State of Washington, signed by H. F. Klein, William Carli, W. B. Spiers, Alessandro Pazzobon, Steve Tamborini, Charles M. Jasperson, W. C. Blackstock, Phil. H. Cotterill, B. N. Dyer, and sundry other ex-service men, praying for the enactment of legislation paying a bonus to ex-service men, which were referred to the Committee on Finance.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of Local Union No. 352, International Brotherhood of Electrical Workers, of Lansing, Mich., favoring amnesty for all political prisoners, which was referred to the Committee on the Judiciary.

He also (for Mr. NEWBERRY) presented a memorial of sundry students of the School of Commerce and Finance of the University of Detroit, Mich., remonstrating against the enactment of

legislation to create a department of education, which was referred to the Committee on Education and Labor.

FORCIBLE ENTRY AND DETAINER.

Mr. BORAH, from the Committee on the Judiciary, reported a bill (S. 4746) to amend the act entitled "An act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, in relation to forcible entry and detainer," which was read twice by its title.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GERRY:

A bill (S. 4732) granting a permanent relative rank to certain officers of the Coast Guard; to the Committee on Commerce.

By Mr. MYERS:

A bill (S. 4733) adding certain lands to the Beaver Head National Forest, Mont.; to the Committee on Public Lands.

By Mr. STERLING:

A bill (S. 4734) providing for the placing of Government employees engaged in enforcement of national prohibition under the civil service; to the Committee on Civil Service and Retrenchment.

By Mr. HALE (for Mr. FERNALD):

A bill (S. 4735) granting a pension to Mory Mulliken (with an accompanying paper); to the Committee on Pensions.

By Mr. LENROOT:

A bill (S. 4736) to provide for the exchange of Liberty bonds and Victory loan notes for notes of the United States; to the Committee on Finance.

A bill (S. 4737) granting the consent of Congress to the Prescott Bridge Co. to construct a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 4738) granting a pension to Lillian J. Duncan; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 4739) to enforce the provisions of the nineteenth amendment to the Constitution of the United States with respect to the elective franchise; to the Committee on Woman Suffrage.

A bill (S. 4740) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Commerce.

By Mr. CALDER:

A bill (S. 4741) to establish in the Department of Commerce a bureau to be known as the bureau of building construction and housing; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 4742) for the relief of David C. Van Voorhis; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 4743) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920," approved June 30, 1919, being Public No. 3, Sixty-sixth Congress; to the Committee on Indian Affairs.

By Mr. HARRISON:

A bill (S. 4744) to amend the Federal farm loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. HENDERSON:

A bill (S. 4745) for the consolidation of lands in the national parks, and for other purposes; to the Committee on Public Lands.

By Mr. STERLING:

A joint resolution (S. J. Res. 233) giving consent of the Congress of the United States to the States of North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska, or any two or more of said States, to agree upon the jurisdiction to be exercised by said States over boundary waters between any two or more of said States; to the Committee on the Judiciary.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes, which was referred to the Committee on Finance.

PROPOSED ADJOURNMENT TO MONDAY.

Mr. CURTIS. Mr. President, I move that when the Senate adjourns to-day it adjourn to meet on Monday next at 12 o'clock.

Mr. UNDERWOOD. Before the motion is put I would like to know the status of the unfinished business.

Mr. CURTIS. It is still the unfinished business.

Mr. UNDERWOOD. The Senate bill 3390, the nitrate bill, is still the unfinished business?

Mr. CURTIS. It is.

Mr. UNDERWOOD. Can we have an understanding that we may have the bill read when the unfinished business comes up and that an opportunity will be given for anyone to speak on it to-day before adjournment?

Mr. CURTIS. That is perfectly agreeable.

Mr. ASHURST. Mr. President, I would like to be heard on the motion for a moment.

The VICE PRESIDENT. Is the motion debatable?

Mr. ASHURST. I think it is.

Mr. CURTIS. I will withdraw the motion.

The VICE PRESIDENT. The motion is withdrawn.

Mr. CURTIS subsequently said: I renew the motion made a few moments ago that when the Senate adjourns to-day it adjourn to meet on Monday next at 12 o'clock.

The VICE PRESIDENT. Is the motion debatable?

Mr. CURTIS. It is not debatable.

The VICE PRESIDENT. The Chair thought it was not.

Mr. ASHURST. It is a fact that the Senate rules provide that the motion is not debatable, but I ask the Senate and the Chair to grant me a moment's time to explain why I intended to object to the motion to adjourn until Monday.

The VICE PRESIDENT. The motion had better be withdrawn.

Mr. CURTIS. I will withdraw the motion.

The VICE PRESIDENT. The motion is withdrawn, and the Senator from Arizona is recognized.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. ASHURST. On the 13th of this month the Senate passed a bill proposing to grant an extension of time, to wit, until July 1 of next year, within which to perform the assessment work or representation work on unpatented mining claims for this present year. In other words, the bill extends the time six months within which this year's work must be done. The bill passed the House and is now with the President, and has been with him for some days. If the President should veto the same or should fail to sign the same before to-morrow night, such circumstance would precipitate great financial loss and protracted litigation amongst thousands of mining men, miners, and prospectors in the West.

If the President should veto the bill I had hoped that the two Houses of Congress would remain in session so that they might pass the same, the objections of the President to the contrary notwithstanding; but I have been informed that it will be impossible to get a quorum to-morrow, hence it would be useless for me to object to the motion or to vote against the motion to adjourn until Monday. I can only therefore express the hope that the President will sign the bill to-day or at least to-morrow, as to-morrow is the last day when Executive approval may afford relief to mine owners and prospectors. I thank the Senate for permission to make the explanation.

Br. BORAH. Mr. President, I quite agree with the view expressed by the Senator from Arizona as to the injury which would follow should the bill to which he refers ultimately fail of passage. I have not, however, entertained any doubt about the fact that it would become a law. I have no reason to believe that the President will veto it. I join with the Senator, however, in the expression of the view that it would be unfortunate if the bill should not ultimately become a law.

Mr. HENDERSON. Mr. President, will the Senator from Arizona yield to me?

Mr. ASHURST. I have surrendered the floor. I have been indulged long enough.

Mr. HENDERSON. Mr. President, I am very greatly interested in the bill referred to by the Senator from Arizona [Mr. ASHURST] and the Senator from Idaho [Mr. BORAH] and in its becoming a law. I know of no reason why the President should veto the bill, and I have every reason to believe that the bill will become a law some time to-morrow if not to-day. It not only will affect mining men in the United States but also in Alaska, and it will affect them very seriously, too.

The bill was intended to grant those men the opportunity of doing the mining assessment work for 1920 and 1921 in the spring of 1921, so as to save expense. It seems to me that it is a meritorious measure and should become a law before to-morrow night.

Mr. THOMAS. Mr. President, unfortunately there are two sides to every question, and this one is not an exception. I am in receipt of numerous letters and telegrams protesting against the passage of the bill which is referred to, many of them coming from miners who are out of employment, who say that if the law which the bill proposes to suspend is not suspended they can make a hundred dollars upon each of these claims by performing the work which the statute requires. I shall, therefore, with some philosophy feel resigned to the inability of the President to approve the measure.

Mr. ASHURST. Mr. President, as I understand, the Senator from Colorado is opposed to the bill?

Mr. THOMAS. Oh, I am not opposed to it in the sense that I would try to defeat it. I do know, however—and the Senator from Arizona knows—that large areas of the public domain in the West are held by men under mining locations who do not patent their claims, because when patented they have to pay taxes upon them. If they can get out of doing the required statutory work by appealing to an easy Congress, which yields to them as it does to every other class that seems to be potential and powerful or influential, why not entirely repeal the law?

Mr. ASHURST. I hope the Senator from Colorado will moderate his opposition to the bill so as to refrain from personally visiting the White House and refrain from personally urging the President to veto the bill.

Mr. THOMAS. Oh, Mr. President, the precedent which has been set by my friend from Arizona will not be followed by me. [Laughter.] I leave that to him and to Miss Alice Paul and to the representatives of the "Irish republic," who, I understand, are circling the White House every evening.

Mr. HENDERSON. I should like to ask the Senator from Colorado whether, in view of the fact that the bill only extends and does not suspend the requirements of the annual assessment work, it should not become a law?

Mr. THOMAS. Oh, I know that it will be again suspended in July.

Mr. ASHURST. No; it will not.

Mr. THOMAS. Certainly, it will. We began to suspend the law along in 1893; we set the precedent then, and we have been either suspending the law or temporarily repealing it ever since.

Mr. HENDERSON. We can talk about that in July next, but the condition sought to be relieved is one which confronts us immediately.

Mr. THOMAS. The Senator from Nevada and I will not be here to talk about it in July.

ADJOURNMENT TO MONDAY.

Mr. CURTIS. If there is to be no further debate, in reference to the bill, I renew my motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas that when the Senate adjourns it stand adjourned until Monday next.

The motion was agreed to.

THE COMMITTEE ON PATENTS.

Mr. NORRIS submitted the following resolution (S. Res. 414), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Patents, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding \$1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expense thereof to be paid out of the contingent fund of the Senate, and that the committee or any subcommittee thereof may sit during the sessions or recess of the Senate.

CLAIMS AGAINST GERMAN GOVERNMENT.

Mr. KING submitted the following resolution (S. Res. 415), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be, and he is hereby, directed to transmit to the Senate a full and complete statement of all claims and the amount of each filed with the State Department by American citizens against the German Government since August, 1914. Also the names of the claimants, together with all facts in possession of the State Department relating to said claims, the nature and character of the same, and all evidence bearing upon their validity and merits.

RELIEF WORK IN CENTRAL AND EASTERN EUROPE.

Mr. SUTHERLAND. I submit a concurrent resolution, which I ask may be read and referred to the Committee on Foreign Relations.

The concurrent resolution (S. Con. Res. 35) was read and referred to the Committee on Foreign Relations, as follows:

Whereas it has come to the attention of the American Congress that as a result of devastation of the World War, the countries of Central and Eastern Europe were so grievously afflicted that they have not as yet found themselves able to adjust economic conditions so as to provide the necessities of life for their millions of population; and

Whereas it has been established upon such authority that can not be gainsaid that their population is being decimated by death through lack of proper foods and medicines, and that now millions of their people, including not less than three and a half millions of little children, within these countries are in destitute circumstances; and Whereas the responsibility of raising and administering \$35,000,000 for the relief of these people has been undertaken by American relief organization known as the European Relief Council, with Herbert Hoover, chairman, and Franklin K. Lane, treasurer, and which represents the following well-known organizations, themselves in charge of responsible citizens: American Relief Administration, American Red Cross, American Friends' Service Committee (Quakers), Jewish Joint Distribution Committee, Federal Council of Churches of Christ in America, Knights of Columbus, Young Men's Christian Association, Young Women's Christian Association; and Whereas through a cooperative arrangement between the Governments of which the stricken people are a part and the relief organization referred to, the populations can be cared for and the lives of millions saved; and Whereas this organization is administering the raising and distribution of funds in such manner that not a single dollar contributed to the fund is deducted therefrom for the expense of maintaining the organization or for any purpose other than that of extending relief to the stricken people: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Government of the United States officially indorses the relief work undertaken by the European Relief Council and earnestly calls upon the people of the United States to contribute out of their substance to the humanitarian activities of such organization.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred as indicated below:

- H. R. 178. An act authorizing an exchange of lands by A. A. Bruce, of La Veta, Colo.; to the Committee on Public Lands.
- H. R. 567. An act for the relief of John Chick;
- H. R. 740. An act for the relief of John W. Baggett; and
- H. R. 742. An act for the relief of J. W. La Bare; to the Committee on Military Affairs.
- H. R. 908. An act for the relief of Leo Balsam; to the Committee on Claims.
- H. R. 1030. An act for the relief of John R. Smith, deceased; to the Committee on Military Affairs.
- H. R. 1034. An act for the relief of Jose Ramon Cordova; and
- H. R. 1035. An act for the relief of the widow of Joseph C. Akin; to the Committee on Claims.
- H. R. 1299. An act for the relief of George LeClear; and
- H. R. 1300. An act for the relief of Alfred E. Lewis; to the Committee on Military Affairs.
- H. R. 1321. An act for the relief of Mrs. Annie M. Lepley; to the Committee on Claims.
- H. R. 1949. An act for the relief of George F. Reid; to the Committee on Military Affairs.
- H. R. 3522. An act for the relief of Lemuel Stokes; to the Committee on Claims.
- H. R. 5194. An act for the relief of Alfred Rebsamen; and
- H. R. 6301. An act for the relief of Nathan Manzer; to the Committee on Military Affairs.
- H. R. 7050. An act for the relief of the First State Bank of Kerrville, Kerr County, State of Texas;
- H. R. 7333. An act for the relief of Emily J. Mullins; and
- H. R. 8142. An act for the relief of Anna Blumenthal; to the Committee on Claims.
- H. R. 9357. An act for the relief of S. S. Markley; to the Committee on Public Lands.
- H. R. 9675. An act for the relief of John Anderson;
- H. R. 9843. An act to carry into effect the findings of the Court of Claims in favor of Myron C. Bond, Guy M. Claffin, and Edwin A. Wells;
- H. R. 11066. An act for the relief of the Shipowners & Merchants Tugboat Co.; and
- H. R. 11154. An act for the relief of Arthur Frost; to the Committee on Claims.
- H. R. 11377. An act for the relief of Warren V. Howard; to the Committee on Military Affairs.
- H. R. 11416. An act for the relief of Orville M. Myers;
- H. R. 11572. An act for the relief of the John E. Moore Co.;
- H. R. 11945. An act for the relief of W. C. Stewart;
- H. R. 12005. An act for the relief of Henry P. Corbin; and
- H. R. 12333. An act for the relief of Albert T. Huso; to the Committee on Claims.
- H. R. 12337. An act to provide for the relief of Anthony Sulik, former sergeant, United States Marine Corps; to the Committee on Naval Affairs.
- H. R. 12441. An act for the relief of the Duluth, Winnipeg & Pacific Railroad; to the Committee on Claims.
- H. R. 12469. An act to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy; to the Committee on Naval Affairs.
- H. R. 13319. An act for the relief of Wilson Certain; to the Committee on Military Affairs.
- H. R. 13600. An act for the relief of Mrs. William B. Ryan; to the Committee on Claims.

INAUGURAL EXPENDITURES.

The VICE PRESIDENT. Is there any further morning business?

Mr. BORAH. Mr. President, before proceeding to further business, as I see one or two members of the Appropriations Committee are present, I desire now, as a matter of information, to learn what procedure is adopted and by what means and methods we appropriate money for the inauguration of the President elect. I am unable to find, from my investigation, any other practice than that of expending whatever the Joint Inaugural Committee sees fit to expend, and then the Appropriations Committee taking care of it. I am informed that four years ago we appropriated \$70,000, and I understand that this year the expenditure is expected to reach \$100,000.

Mr. SMOOT. If the Senator from Idaho has reference to the newspaper reports of the probable expenditure of \$100,000, I desire to say that that is the amount which has been collected by the people of the District. That money, however, is expended not around the Capitol but for all of the activities of the inaugural day away from the Capitol.

Mr. BORAH. I do not have reference to the amount which the citizens are raising; that is a matter which I have no desire to discuss; I should be glad to see them contribute any amount that they desire to contribute; but what I am interested in is to ascertain whether the Congress appropriates for the occasion? Is the money put in the form of an estimate, to begin with, or does the committee simply go ahead and make the expenditures and then Congress pay whatever the sum of those expenditures may be?

Mr. SMOOT. Always in the past the work has been proceeded with, and, when the bills were all in, the appropriation has been provided.

Mr. BORAH. Does the committee which has charge of the inauguration also have charge of the amount which is to be expended?

Mr. SMOOT. No; that is under the jurisdiction of a separate committee; but the Appropriations Committee provides for the money. I can not say to the Senator how much the amount will be nor do I think the committee having the matter in charge can do so.

Mr. JONES of Washington. Mr. President, I may be mistaken, but it is my recollection that we have always heretofore passed a joint resolution authorizing the expenditure of a certain amount of money for inaugural purposes.

Mr. SMOOT. I do not think any specific amount has been named in such joint resolutions.

Mr. JONES of Washington. My recollection is that the sum appropriated heretofore has been \$35,000, but I may be mistaken about that.

Mr. SMOOT. We have already at the present session passed a joint resolution providing for the appointment of a committee to take charge of the inaugural ceremonies. The resolution was passed about a week or 10 days ago.

Mr. BORAH. As I recall, neither that joint resolution nor any of the similar joint resolutions previously passed specified any amount at all, but merely gave a blanket authority, which I think is very bad practice.

I call attention to this subject because I think there ought to be some limit upon the amount which we are going to expend at the beginning of this administration, pledged as it is to economy, and if some one else does not take charge of the matter, who is better fitted to do so, and who is connected with the Appropriations Committee, I shall attempt in the beginning of the next week to put a limit on these expenditures.

Mr. FLETCHER. Mr. President, would it not be a good idea to hark back to "Jeffersonian simplicity" a little at this time?

Mr. BORAH. So far as I am concerned, I should like to limit the amount to be expended to \$10, which would be enough to pay the presidential automobile fare to the Capitol and back.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

Mr. BORAH. I yield.

Mr. NELSON. I take it that the expenses in connection with erecting stands, and so forth, down town will be borne by the citizens' committee?

Mr. SMOOT. That is true.

Mr. NELSON. The expenses of the joint committee, so far as we know at present, relate to the construction of the platform in front of the Capitol Building for the inaugural ceremonies. The committee instructed the Superintendent of the Capitol to accept the lowest bid, which was about 30 per cent higher than the bid received for doing the same work four years ago. Beyond that the committee have taken no action. We hope to be able to obtain the use of some of the surplus Government buildings here, if there are any, for the occupancy of militia

organizations and soldiers who may come here to attend the inauguration. There certainly, however, ought to be some definite appropriation made for these purposes.

Mr. BORAH. Mr. President, does not the Senator think that there ought to be a definite amount stated?

Mr. NELSON. I think so.

Mr. SMOOT. Mr. President, I will say that at no time has there been paid out of the contingent fund of the Senate any sum to house different organizations coming from the various States during the inauguration of a President.

Mr. NELSON. If the Senator from Utah will allow me to correct him, the purpose of the committee was to investigate and ascertain what public buildings here could be utilized for such purposes without incurring any expense.

Mr. SMOOT. I think the Senator's statement is in accord with what I said. The building commission have applications now—I can not say from how many organizations, but from many organizations outside of the District—for housing purposes amounting to scores, I will say. As chairman of the commission, I asked Col. Woods to see the owner of the building known as the Liberty Hut, on the Union Station Plaza, with the idea of having that building remain intact, it having come to the knowledge of the commission that it was contemplated to demolish and remove it before March 4. Col. Woods has not yet reported as to whether that can be done; but I will say to the Senator that every available space in the Government buildings, including even the isles in some of our main buildings, in the past has been used for sleeping purposes by organizations coming from the different States. That will have to be done again, but no money has been appropriated for that expense in the past, and no doubt there will be none for the approaching inauguration.

Mr. NELSON. Let me ask the Senator a question in connection with that matter. Is any resolution of Congress necessary to authorize the occupation of the buildings to which the Senator has referred?

Mr. SMOOT. No; the building commission has that power under the law now, I think.

Mr. LENROOT. Mr. President, if the Senator from Utah will yield, I desire to ask, has the building commission power to authorize the use of any building where it will involve inconvenience to the employees or a vacation of any portion of such building by Government employees now housed therein?

Mr. SMOOT. No; they have not.

I will say to the Senator from Idaho that the joint resolution which was passed by the Senate on December 8 reads as follows:

That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President elect of the United States on the 4th day of March next.

That is an exact copy of the joint resolution that is generally passed on such occasions. Then, the expenses that have been incurred under such joint resolutions have been paid out of the contingent funds of the Senate and the House jointly.

Mr. BORAH. Do I understand that the Senator from Minnesota is chairman of the joint committee?

Mr. NELSON. I am a member of that committee. The Senator from Pennsylvania [Mr. Knox] is chairman of that committee.

Mr. BORAH. The Senator from Minnesota, however, is on the committee?

Mr. NELSON. Yes.

Mr. LENROOT. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Yes.

Mr. LENROOT. I should like to ask the Senator from Minnesota whether it is the understanding that if permission is granted for the holding of the inaugural ball at the Pension Building legislation will be required for that purpose?

Mr. NELSON. We have nothing to do with that. The Committee on Rules have no more to do with that than the Emperor of China. It is wholly a private affair of the citizens of Washington.

Mr. SMOOT. I will say to the Senator from Wisconsin that the inaugural ball, if held in the Pension Building, will be under the direction of the Committee on the District of Columbia; and in the past, whenever it has been held there, that committee have applied to Congress for the passage of legislation authorizing them to hold it in that building.

Mr. LENROOT. One other question. That has always cost twenty-five or thirty thousand dollars, as a matter of fact, has it not?

Mr. SMOOT. I can not state offhand just what it has cost. I know it has cost a good deal of money.

Mr. NORRIS. Mr. President, if the Senator will permit an interruption there, in reality it has cost much more than

twenty-five or thirty thousand dollars, because it means that all the furniture of the building must be moved out and stored, and then moved back in; so that it is not only a question of the cost of moving it out and moving it back, but practically everybody employed in the building stops work, although the pay goes on, during all that time.

Mr. BORAH. So far as I have been able to ascertain there is now no way of determining how much we are going to spend. We shall have to determine that next week.

AMENDMENT OF CLAYTON ACT—VETO MESSAGE (S. DOC. NO. 349).

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The reading clerk read as follows:

To the Senate:

I return herewith without my signature Senate bill No. 4526, amending section 501 of the transportation act by extending the effective date of section 10 of the Clayton Act.

The Clayton Antitrust Act was responsive to recommendations which I made to the Congress on December 2, 1913, and January 20, 1914, on the subject of legislation regarding the very difficult and intricate matter of trusts and monopolies. In speaking of the changes which opinion deliberately sanctions and for which business waits, I observed:

"It waits with acquiescence, in the first place, for laws which will effectually prohibit and prevent such interlockings of the personnel of the directorates of great corporations—banks and railroads, industrial, commercial, and public-service bodies—as in effect result in making those who borrow and those who lend practically one and the same, those who sell and those who buy but the same persons trading with one another under different names and in different combinations, and those who affect to compete in fact partners and masters of some whole field of business. Sufficient time should be allowed, of course, in which to effect these changes of organization without inconvenience or confusion."

This particular recommendation is reflected in section 10 of the Clayton Antitrust Act. That act became law on October 15, 1914, and it was provided that section 10 should not become effective until two years after that date, in order that the carriers and others affected might be able to adjust their affairs so that no inconvenience or confusion might result from the enforcement of its provisions. Further extensions of time, amounting in all to more than four years and two months, have since been made. These were in part due to the intervention of Federal control, but 10 months have now elapsed since the resumption of private operation. In all, over six years have elapsed since this enactment was put upon the statute book, so that all interests concerned have had long and ample notice of the obligations it imposes.

The Interstate Commerce Commission has adopted rules responsive to the requirements of section 10. In deferring the effective date of section 10 the Congress has excepted corporations organized after January 12, 1918, and as to such corporations the commission's rules are now in effect. Therefore it appears that the necessary preliminary steps have long since been taken to put section 10 into effect, and the practical question now to be decided is whether the partial application of those rules shall be continued until January 1, 1922, or whether their application shall now become general, thus bringing under them all common carriers engaged in commerce and at last giving full effect to this important feature of the act of October 15, 1914.

The grounds upon which further extension of time is asked, in addition to the six years and more that have already elapsed, have been stated as follows:

"That the carrying into effect of the existing provisions of section 10 will result in needless expenditures on the part of carriers in many instances; that some of its provisions are unworkable; and that the changed status of the carriers and the enactment of the transportation act require a revision of section 10 in order to make it consistent with provisions of the transportation act."

When it is considered that the Congress is now in session and can readily adopt suitable amendments if they shall be found to be necessary, such reasons for further delay appear to me to be inadequate. The soundness of the principle embodied in section 10 appears to be generally admitted. The wholesome effects which its application was intended to produce should no longer be withheld from the public and from the common carriers immediately concerned, for whose protection it was particularly designed.

WOODROW WILSON.

THE WHITE HOUSE,
30 December, 1920.

Mr. CURTIS. Mr. President, may I ask what becomes of the message—whether it lies on the table, or is to be referred to a committee?

The VICE PRESIDENT. The Chair is looking at the Constitution. The Constitution provides that—

Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it.

The Chair has an impression that it is the duty of the Senate to reconsider it immediately, unless by motion or otherwise it shall postpone the reconsideration.

Mr. SMOOT. Would not a motion to send it to a committee be in order at this time? Would not that be considered as proceeding to the consideration of the bill?

Mr. KING. Mr. President, I rise for an inquiry. Is this a veto of a bill, or is it merely a suggestion by the President as to pending legislation?

The VICE PRESIDENT. No; it is a veto.

Mr. LA FOLLETTE. Mr. President, it is manifestly a veto of the bill. It is returned with the usual phraseology which is attached to a veto, in which the President states that he withholds his signature from this bill.

Mr. KING. I have just returned to the Chamber, and I rose for information.

Mr. LA FOLLETTE. If it is the desire of the Senate to proceed to the consideration of the veto message at this time, I will say that as a member of the committee I have no objection. I do not know how other members of the committee may feel about it, nor do I know whether we have a quorum in attendance upon the Senate at this time.

The VICE PRESIDENT. The Chair does not think the opinions of the present occupant of the chair are in accord with those of former occupants of the chair. He thinks these bills have been sent to committees after veto, and that delay has taken place in the consideration of the veto. Without trying to overrule the opinions of former presiding officers, the Chair is clearly of the opinion that under the Constitution it is the business of the Senate to consider this question—not to send it to a committee at all, but to determine whether it wants to pass the bill, notwithstanding the objections of the President, or whether it does not.

Mr. LA FOLLETTE. I ask unanimous consent that the veto message and the bill may lie on the table, to be taken up at the convenience of the Senate.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it will be so ordered.

Mr. KELLOGG. Mr. President, in relation to the bill which the Congress passed extending the effective date of section 10 of the Clayton Act, I think it is fair to say that it has been extended at least twice before except as to corporations organized after January 12, 1918. That extension, as I recollect, has always been recommended by the Interstate Commerce Committee or the Judiciary Committee on the recommendation of the Interstate Commerce Commission itself, resulting from conditions growing out of the war and subsequent to the war.

Since the last session of Congress, or during the session, the commission informally—I do not remember whether by a communication or not—recommended that the Committee on Interstate Commerce should take up the subject of making some amendments to section 10 of the Clayton Act, not repealing it or doing away with the principle, but making some amendments to make it workable, preserving its main features. On the recommendation of the commission—certainly on the recommendation of the chairman of the committee on legislative matters—the committee reported this bill for an extension in order to give the Congress a chance at this session to consider that subject; and I know that the chairman of the committee intended to hold hearings on the subject as soon as he was able to get back, and to hear the Interstate Commerce Commission and all parties interested. So that it was not, so far as I know, the intention of the committee or of anyone else to repeal section 10, but simply to give an opportunity for consideration, and that opportunity did not exist during the last session of Congress.

So far as I know, that is the fact in connection with the action of the committee and of the Congress.

The VICE PRESIDENT (at 12 o'clock and 40 minutes p. m.). The morning business is closed.

ATMOSPHERIC NITROGEN.

Mr. UNDERWOOD. I ask that the unfinished business be laid before the Senate and proceeded with.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3390) to provide further for the national defense; to establish a self-sustaining Federal agency for the manufacture, production, and development of the products of atmospheric nitrogen for military, experimental, and other purposes; to provide research laboratories and experimental plants for the development of fixed-nitrogen production, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. UNDERWOOD. I ask that the bill may be read at length.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and empowered to designate any five persons to act as an organization committee for the purpose of organizing a corporation under authority of and for the purposes enumerated in this act.

ORGANIZATION.

The persons so designated shall, under their seals, make an organization certificate, which shall specifically state the name of the corporation to be organized, the place in which its principal office is to be located, the amount of capital stock, and the number of shares into which the same is divided, and the fact that the certificate is made to enable the corporation formed to avail itself of the advantages of this act. The name of such corporation shall be United States Fixed-Nitrogen Corporation.

The said organization certificate shall be acknowledged before a judge of some court of record or notary public, and shall be, together with acknowledgment thereof, authenticated by the seal of such notary or court, transmitted to the Secretary of War, who shall file, record, and carefully preserve the same in his office. Upon the filing of such certificate with the Secretary of War as aforesaid, the said corporation shall become a body corporate and as such, and in the name United States Fixed-Nitrogen Corporation, shall have power—

First, to adopt and use a corporate seal;

Second, to have succession for a period of 20 years from its organization, unless it is sooner dissolved by an act of Congress, or unless its franchise becomes forfeited by some violation of law;

Third, to make contracts;

Fourth, to sue and be sued, complain, and defend in any court of law or equity;

Fifth, to appoint by its board of directors such officers and employees as are not otherwise provided for in this act; to define their duties, to fix their salaries, in its discretion to require bonds of any of them, and to fix the penalty thereof, and to dismiss at pleasure any of such officers or employees;

Sixth, to prescribe by its board of directors by-laws not inconsistent with law regulating the manner in which its general business may be conducted and the privileges granted to it by law may be exercised and enjoyed;

Seventh, to exercise by its board of directors or duly authorized officers or agents all powers specifically granted by the provisions of this act and such incidental powers as shall be necessary to carry on the business for which it is incorporated within the limitations prescribed by this act, but such corporation shall transact no business except such as is incidental and necessary preliminary to its organization until it has been authorized by the Secretary of War to commence business under the provisions of this act.

The corporation shall be conducted under the supervision and control of a board of directors, consisting of not less than 3 nor more than 11 members, to be appointed by the Secretary of War. The directors so appointed shall hold office at the pleasure of the Secretary of War. The Secretary of War shall be ex officio chairman of the board and shall have power to designate one of the directors as vice chairman. The vice chairman shall perform the duties of chairman in the absence of the Secretary of War.

The board of directors shall perform the duties usually appertaining to the office of directors of private corporations and such other duties as are prescribed by law.

POWERS OF THE CORPORATION.

The corporation shall have power—

(a) To purchase, acquire, operate, and develop in the manner prescribed by this act and subject to the limitations and restrictions thereof the following properties owned by the United States:

1. United States nitrate fixation plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with (a) all real estate used in connection therewith; (b) all tools, machinery, equipment, accessories, and materials thereunto belonging; (c) all laboratories and plants used as auxiliaries thereto, including the fixed-nitrogen research laboratory at Washington, the Waco limestone quarry in Alabama, the electric power unit at the Warrior River station of the Alabama Power Co., and transmission lines, and any others used as auxiliaries of the United States fixed-nitrogen plants Nos. 1 and 2.

2. Any other plants or parts of plant, equipment, accessories, or other properties belonging to the United States, which are under the direct control of the President or of the War Department, and which the President or the Secretary of War may deem it advisable to transfer, convey, or deliver to said corporation for use in connection with any of the purposes of this act, or for any purpose incidental thereto.

(b) To acquire, establish, maintain, and operate such other laboratories and experimental plants as may be deemed necessary or advisable to assist in furnishing to the United States Government and others, at all times, nitrogen products for military or other purposes in the most economical manner and of the highest standard of efficiency.

(c) To sell to the United States such nitrogen products as may be manufactured by said corporation for military or other purposes.

(d) To sell any or all of its products not required by the United States to producers or users of fertilizers or to others.

(e) By direction of the President, to act as his agent in carrying out and performing any or all of the duties imposed upon him by section 124 of the act of June 3, 1916, known as the national defense act, including, after its completion, the operation of the hydroelectric power plant now being constructed at Muscle Shoals, and the use and sale of the hydroelectric power to be developed under authority of the act of June 3, 1916, aforesaid, and the President is authorized, in his dis-

cretion, to delegate to the corporation any and all powers and duties conferred or imposed upon him by said act which relate to the production, development, or manufacture of atmospheric nitrogen products, or which are incidental thereto, and to pay into the treasury of said company any unexpended balance out of the appropriation made by section 124 of the act of June 3, 1916, such funds to be used by the corporation for the purpose of said act as amended by this act.

(f) To enter into such agreements and reciprocal relations with others as may be deemed necessary or desirable to facilitate the production and sale of nitrogen products on the most scientific and economical basis.

(g) To purchase, lease, or otherwise acquire United States or foreign patents and processes or the right to use such patents and processes.

(h) To obtain from the United States or from foreign Governments patents for discoveries or inventions of its officers and employees, and, in the discretion of its board of directors, to require any and all of its officers and employees as a condition of their employment to enter into agreements with the company that the patents for all such discoveries or inventions shall be and become in whole or in part the property of the corporation.

(i) To assume any or all obligations of the United States entered into in connection with the construction, maintenance, and operation of the plants to be transferred to the corporation under the provisions of this act.

(j) To deposit its funds in any Federal reserve bank or with any member bank of the Federal reserve system.

(k) To sell and export any of its surplus products not purchased by the United States or by persons, firms, or corporations within the United States.

(l) To invest any surplus of available funds not immediately used for the operation, construction, or maintenance of its plants or properties in United States bonds or other securities issued by the United States.

(m) To lease or purchase such buildings or properties as may be deemed necessary or advisable for the administration of the affairs of the corporation or for carrying out the purposes of this act; and with the approval of the Secretary of War to lease to other persons, firms, or corporations any of its properties not used or needed by the corporation, or to enter into agreements with others for the operation of such properties. In the operation, maintenance, and development of the plants purchased or acquired under this act the corporation shall be free from the limitations or restrictions imposed by the act of June 3, 1916, and shall be subject only to the limitations and restrictions of this act.

CAPITAL STOCK.

The capital stock of the corporation shall be divided into two classes, to be known as common and preferred. The common stock shall be without par value. The company shall have no power to issue stock except that issued to the United States under authority of this act.

In exchange for the properties purchased or acquired from the United States and from time to time transferred, conveyed, or delivered to the corporation by the President or by the Secretary of War, as provided by this act, the corporation shall cause to be executed and delivered to the Secretary of War a certificate for all of the common stock of the corporation, which certificate shall be evidence of the ownership of the United States of all such common stock. In consideration of the issuance of such common stock to the Secretary of War, the President and the Secretary of War are authorized and empowered to transfer, convey, and deliver to the corporation all of the real estate, buildings, tools, equipment, supplies, and other properties belonging to, used by, or appertaining to the plants and properties to be acquired by the corporation under the terms of this act, and to transfer, convey, and deliver as and when they may deem it advisable any other equipment, accessories, plants, or parts of plants or other property referred to in this act and which the corporation is authorized to acquire or purchase from the United States under its provisions.

The President or the Secretary of War, as a condition of the transfer, conveyance, or delivery to the corporation of any property herein referred to, may require the corporation to assume any and all agreements and obligations entered into by the United States in connection with the construction, maintenance, or operation of such plants or other property.

The corporation shall have the power to issue and sell preferred stock in any amount not to exceed \$12,500,000, of a par value of \$100 per share, such stock to be entitled to 5 per cent dividends. All such stock shall be subscribed by the United States of America, and such subscription shall be subject to call upon the vote of the board of directors of the corporation with the approval of the Secretary of War at such time or times as may be deemed advisable, and there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$12,500,000, or so much thereof as may be necessary, for the purpose of making payment upon such subscription when and as called.

Receipts or certificates for payment by the United States of America for or on account of such stock shall be issued by the corporation to the Secretary of War and shall be evidence of the stock ownership of the United States. The Secretary of War is authorized to use any funds now available for the completion of the construction and equipment of such United States nitrate plants, Nos. 1 and 2, and accessories, either after or before the conveyance and delivery of such properties to the corporation in accordance with the terms of this act.

DISTRIBUTION OF EARNINGS.

All net earnings of the corporation not required for its organization, operation, and development shall be used—

(a) To pay dividends on outstanding preferred stock, such dividends to be paid into the Treasury of the United States as miscellaneous receipts;

(b) To develop and improve its plants and equipment;

(c) To create a reserve or surplus fund until such fund amounts to \$2,500,000;

(d) The remainder to be paid into the Treasury of the United States as miscellaneous receipts.

MISCELLANEOUS.

The Federal reserve banks shall be authorized to receive deposits of the corporation. The corporation shall not have power to mortgage or pledge its assets, or to issue bonds secured by any of its properties.

The United States shall not be liable beyond its stock subscription for any debts, obligations, or other liabilities of the corporation.

The corporation and all of its assets shall be deemed and held to be instrumentalities of the United States and as such they and the income derived therefrom shall be exempt from Federal, State, and local taxation. The directors, officers, attorneys, experts, assistants, clerks,

agents, and other employees of the corporation shall not be officers or employees of the United States within the meaning of any statutes of the United States, and the property and moneys belonging to said corporation, acquired from the United States, or from others, shall not be deemed to be the property and moneys of the United States, within the meaning of any statutes of the United States.

The accounts of the corporation shall be audited under the regulations to be prescribed by the Secretary of War, who shall include in his annual report to Congress a detailed statement of the fiscal operations of said corporation.

The Secretary of War may appoint any officer of the War Department or any other person as a director of the corporation, and under regulations to be prescribed by the Secretary of War any officer of the War Department may serve as an officer or employee of the corporation, and may receive such compensation for services rendered to the corporation as the board of directors, with the approval of the Secretary of War, may prescribe.

If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

The right to amend, alter, or repeal this act is hereby expressly reserved.

Mr. STANLEY. Mr. President, I desire to give notice that at the conclusion of the morning business on Monday next I shall address the Senate on the pending bill.

The VICE PRESIDENT. It is fair for the Chair to state to the Senator from Kentucky that Monday is Calendar Monday, and also that the Senator from Colorado [Mr. THOMAS] has given notice that he will address the Senate on that day at the close of the routine morning business.

Mr. STANLEY. Then I give notice that I shall address the Senate on Monday next when the unfinished business is taken up.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, January 3, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 30, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, whose goodness stands approved in a thousand blessings, new every morning, fresh every evening, let Thy spirit penetrate our minds and enlarge our conception of life and its vast responsibilities; that our work in the vineyard of humanity may bloom, blossom, and bear acceptable fruit unto Thee and unto our fellow men; that we may have lived and wrought and left behind us a record worthy of emulation; that the world may quicken its progress toward a better and higher civilization. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MILLER, for to-day, on account of official business.

To Mr. SWOPE, for three weeks, on account of important business.

To Mr. KINCHLOE, indefinitely, on account of illness.

To Mr. EAGAN, indefinitely, on account of sickness.

POST OFFICE APPROPRIATION.

Mr. MADDEN, from the Committee on Appropriations, reported the bill (H. R. 15441) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1922, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered printed.

Mr. HOLLAND. I reserve all points of order on the bill.

The SPEAKER. The gentleman from Virginia reserves all points of order on the bill.

SUNDAY CIVIL APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill (H. R. 15422), and pending that motion I ask unanimous consent that the time for general debate be equally divided between the gentleman from Tennessee [Mr. BYRNS] and myself.

The SPEAKER. Pending the motion that the House resolve itself into Committee of the Whole House on the state of the Union the gentleman from Iowa asks unanimous consent that the time for general debate be controlled equally by himself